Joint Appropriations Subcommittee on Justice and Public Safety

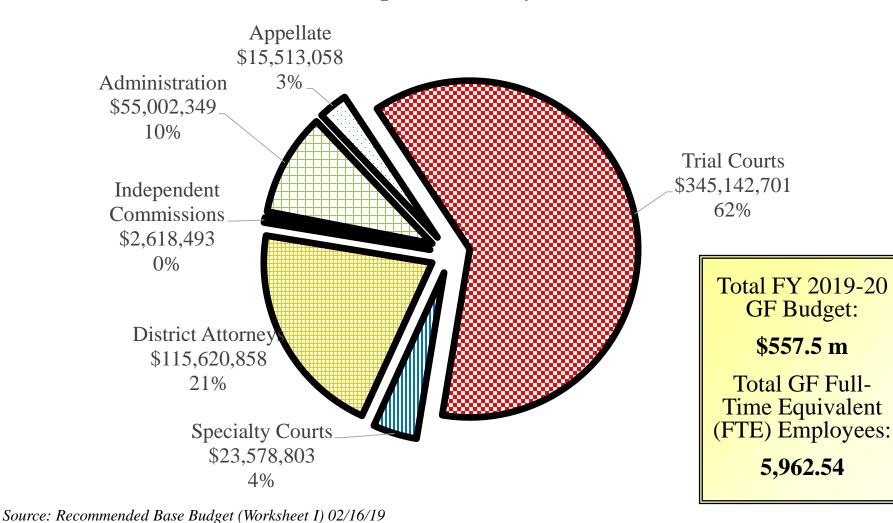
Administrative Office of the Courts: Recent Issues and Programs

March 20, 2019

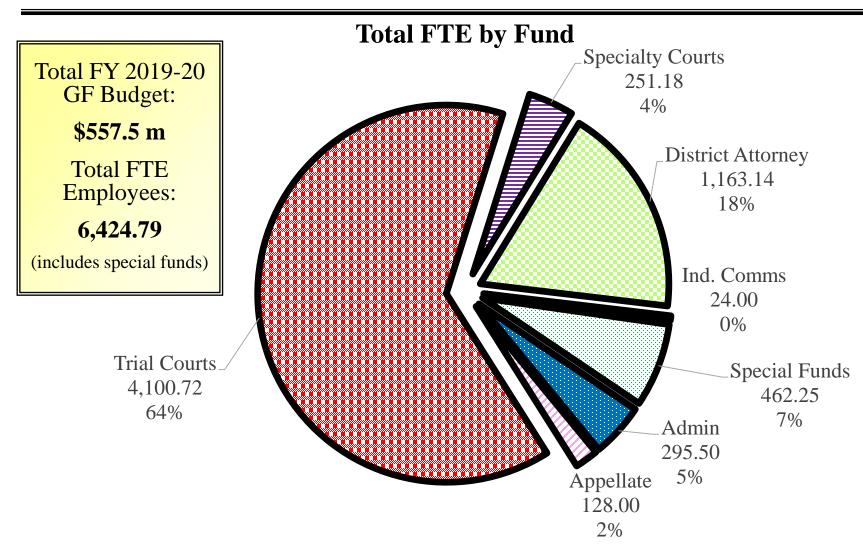


FY 2019-20 AOC Base Budget

Total Requirements by Fund



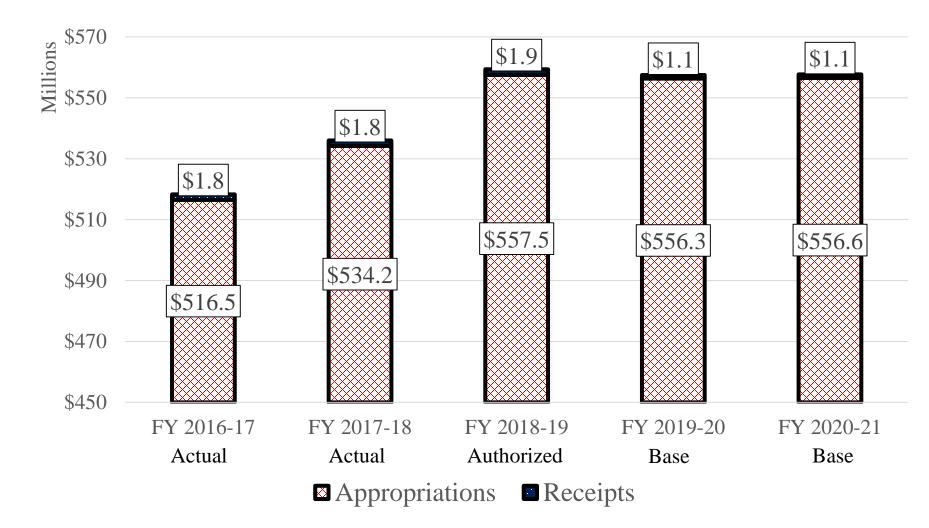
FY 2019-20 AOC Base Budget



Source: Recommended Base Budget (Worksheet I) 02/16/19



AOC Budget History



Source: NCAS, Recommended Base Budget (Worksheet I) 02/16/19



AOC Recent Issues and Programs

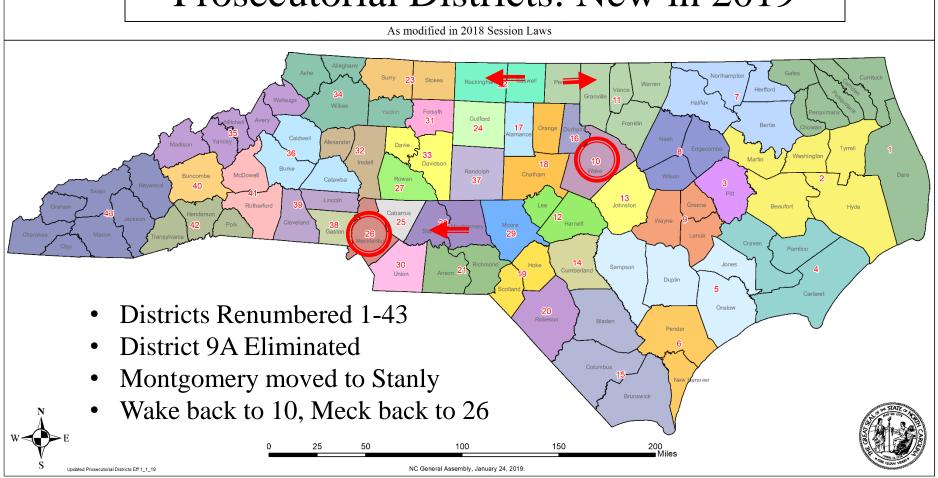
- Judicial Redistricting
- Disbursements
- Recovery Courts
- Workload Formulas
- e-Courts Initiative

AOC

Judicial Redistricting

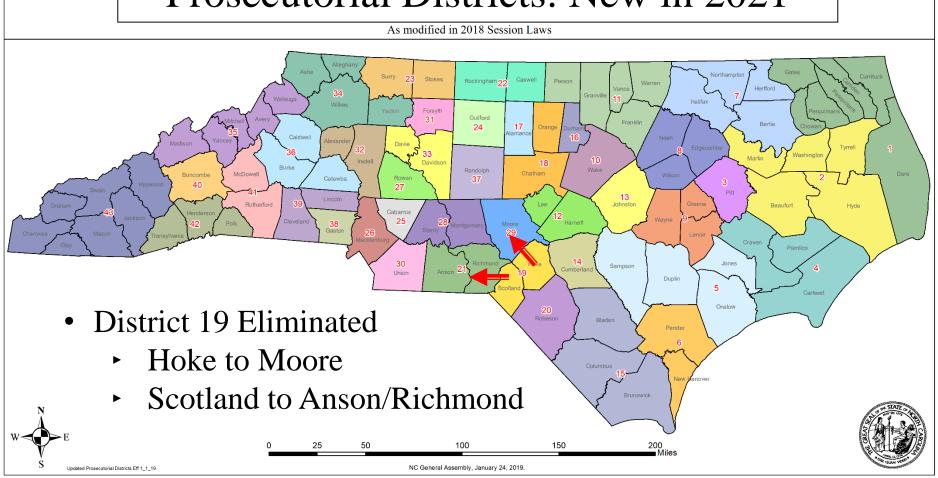


Prosecutorial Districts: New in 2019



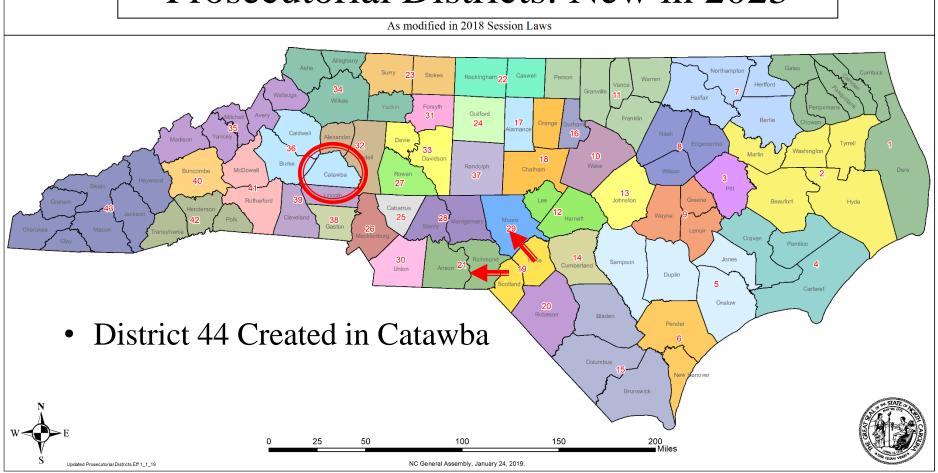
43 District Attorneys 43 Prosecutorial Districts

Prosecutorial Districts: New in 2021



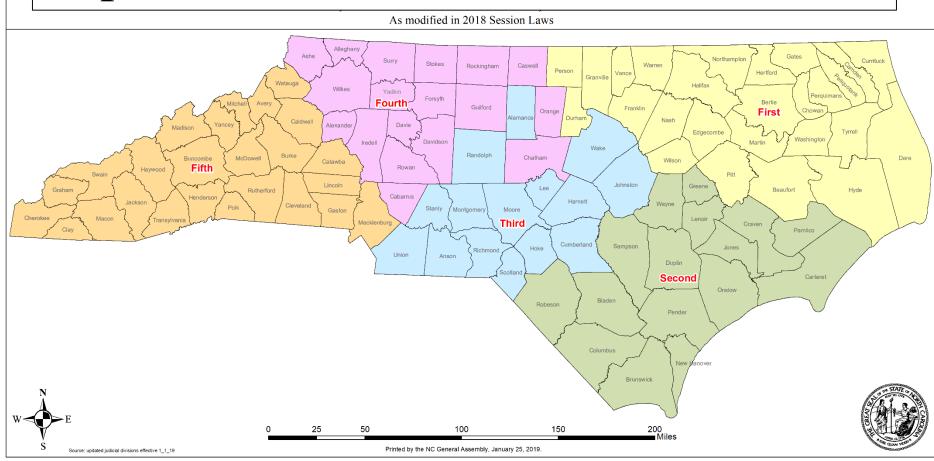
42 District Attorneys 42 Prosecutorial Districts

Prosecutorial Districts: New in 2023



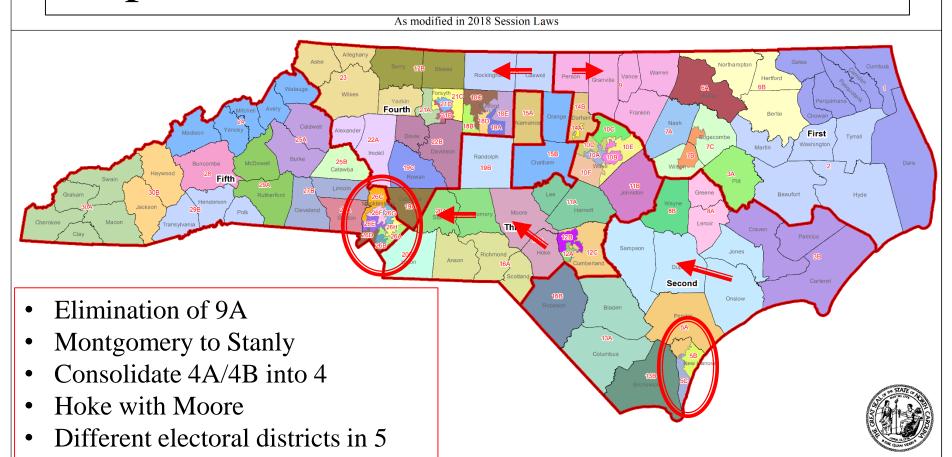
43 District Attorneys 43 Prosecutorial Districts

Superior Court Divisions: New in 2019



Superior Court Judicial Divisions Reduced from 8 to 5

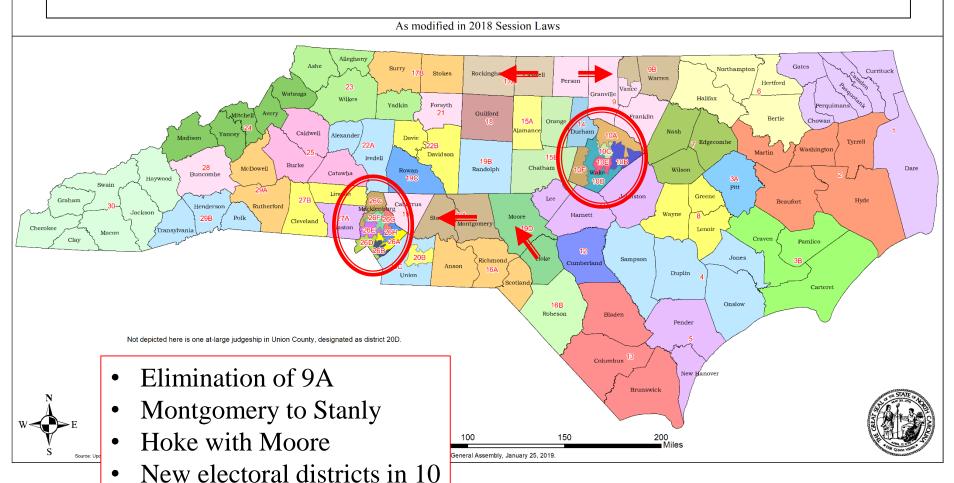
Superior Court Districts: New in 2019



48 Superior Court Districts 107 Superior Court Judges

Increased electoral districts in 26

District Court Districts: New in 2019



• New electoral districts in 26

41 District Court Districts 273 District Court Judges

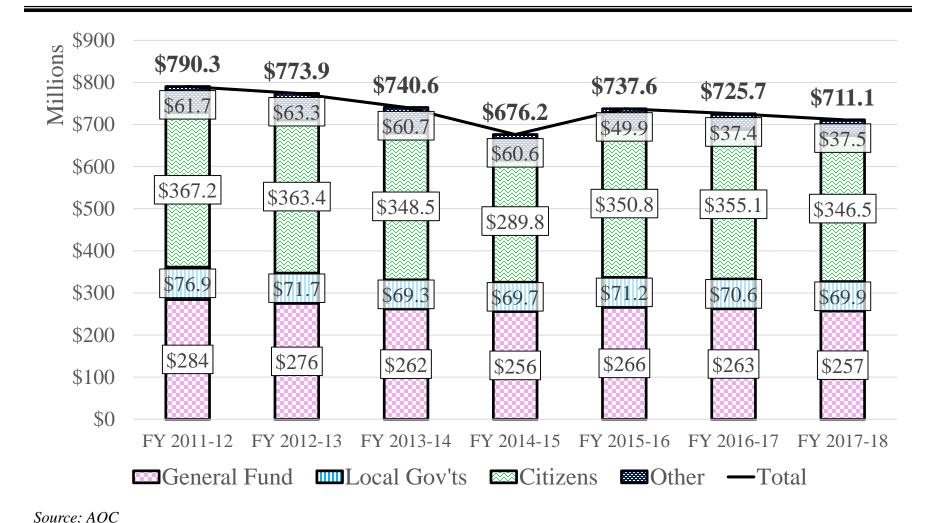
AOC Disbursements



Court Costs

- Fees: charges incurred for the use and support of the institutions of the courts
- Fines: monetary penalty imposed for conviction of a crime or infraction
- Forfeitures: money or property that a judge orders a party to hand over to the State as the result of an unlawful act
- Fines and forfeitures are disbursed to the county for the use of public schools
- Restitution: court-ordered repayment to victims and other funds disbursed to private citizens

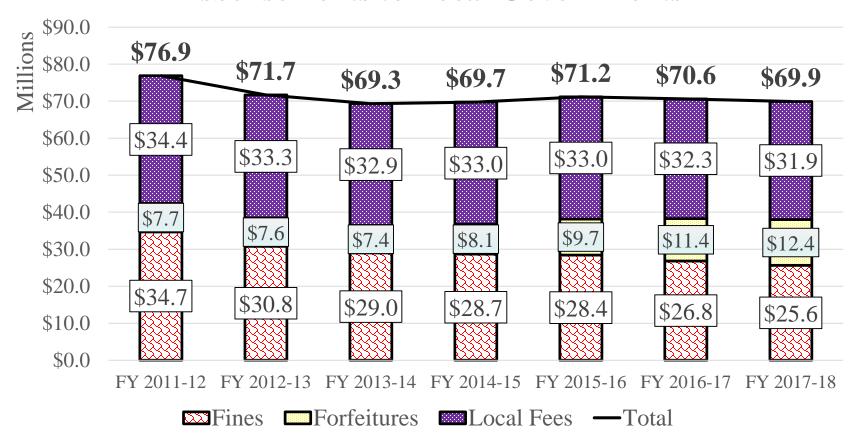
Total Court Disbursements



A Staff Agency of the North Carolina General Assembly

Fines, Forfeitures, Local Fees

Disbursements to Local Governments

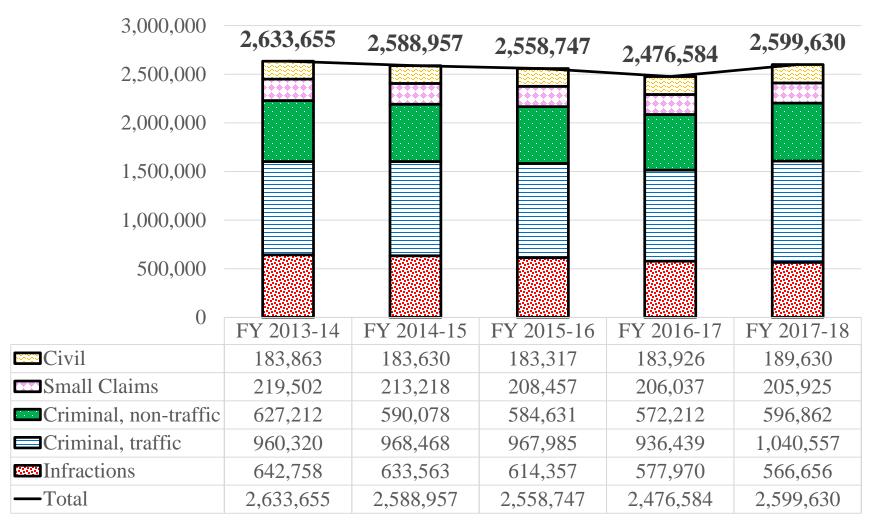


Disbursements to Certain JPS Recipients



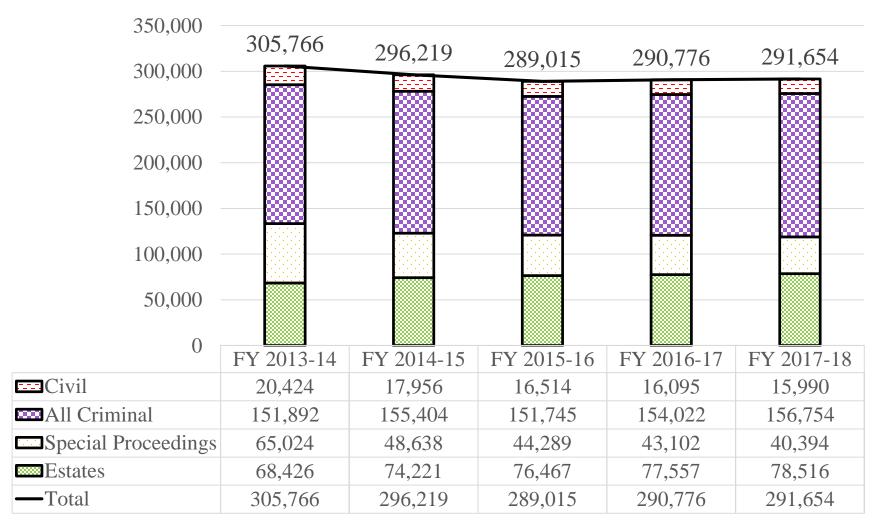


District Court Dispositions



Source: AOC Annual Reports

Superior Court Dispositions



Source: AOC Annual Reports

Waivers

- AOC "2019 Report on Criminal Cost Waivers" (February 1, 2019)
- Required to report money status of case as:
 - Ordered: court orders monetary obligation due
 - Waived/Remitted: judge waives monetary obligation in its entirety
 - Partially Waived: reduced but not eliminated
 - Not Assessed
 - Stricken/Entered in Error
 - Civil Judgment: monetary obligation through civil rather than criminal enforcement

Waivers

- School of Government analysis of Waivers Report
- "Waivers might be on the decline"
- "Civil judgments might be serving as substitute in some cases"

	2016	2017	2018
Civil Judgments	20,682	34,112	40,850
Waivers	87,006	45,882	28,036
Orders	889,714	902,900	848,375

Source: UNC School of Government NC Criminal Law Blog, February 7, 2019

AOC Recovery Courts



Recovery Courts

- Family Drug Treatment Courts
- Adult Drug Treatment Courts
- Youth Drug Treatment Courts
- DWI Courts
- Mental Health Courts
- Veterans Treatment Courts
- Tribal Court

Recovery Courts: What They Are

- Special venue of court designed to address population with particular needs
 - Drug offenders
 - DWI offenders
 - Mental Health issues
 - Veterans
 - Not Teen Court
- Requires the participation or endorsement of all relevant elected judicial officials in a district (plus the public defender)

Recovery Courts: Funding

- NCGA eliminated appropriations to DTCs in FY 2011-12
 - Currently funded through grants from counties, federal grants through the Governor's Crime Commission, or ABC
 - Some courts operating without funding
 - There is one DTC Coordinator position that is Statefunded in Brunswick County (created 1/31/2019)
- Cost is for a coordinator position:
 - \$94,568 R for 1 FTE

Recovery Courts: DTC Locations

	Family DTC	Adult DTC	Youth DTC		Family DTC	Adult DTC	Youth DTC
Avery		X		Mecklenburg	X	X	X
Brunswick		X		Mitchell		X	
Buncombe	X	X		New Hanover		X	
Catawba		X		Orange	X	X	
Cumberland	X	X		Person		X	
Durham		X		Pitt		X	
Forsyth		X		Robeson	X		
Guilford		X	X	Wake		X	
Halifax	X			Watauga		X	
Lenoir	X			Wayne	X		
Madison		X		Yancey		X	



Recovery Courts: Other Locations

	DWI Court	Mental Health Court	Veterans Treatment Court	Tribal Court
Brunswick	X	X		
Buncombe	X		X	
Cherokee				X
Cumberland	X		X	
Durham		X		
Forsyth		X	X	
Guilford		X		
Harnett			X	
Mecklenburg	X	X		
New Hanover	X			
Orange		X		
Union	X			



AOC and Formulas

Workload Formulas



Workload Formulas

• Late '00s:

- NCSC creates workload formulas for most judicial personnel
- Designed to be neutral and accurate representation of the personnel needs for each office, weighed by time and complexity of cases
- The formula is an algorithm that stays the same
- Results vary by year based on district/division filings

Prosecutorial Workload

TWO DA Workload Formulas

- One for prosecutors/attorneys in an office
 - Shows ratios for state-funded personnel alone and both state-funded and grant-funded together
- One for DA office staff
 - Also considers legal assistant, investigator, admin staff needs for each office
 - Lays out different workload ratios for state-funding and state- plus grant-funding

Prosecutorial Workload

Top 3 Most and Least Need, FY 2017-18



District	State- funded	Grant- funded	Need	State-funded to Need Ratio	All Attys to Need Ratio
24 (Guilford)	35	0	42.7	82.0%	82.0%
38 (Gaston)	16	0	19.2	83.4%	83.4%
36 (Burke, Caldwell, Catawba)	20	0	23.5	85.0%	85.0%
30 (Union)	12	2	10.1	118.3%	138.0%
26 (Mecklenburg)	62	24	61.2	101.4%	140.6%
17 (Alamance)	13	4	11.3	115.0%	150.4%

DA Office Workload

Top 3 Most and Least Need, FY 2017-18



District	State- funded Staff	Grant- funded Staff	Staff Need	State-funded to Need Ratio	All Staff to Need Ratio
38 (Gaston)	29	0	34.21	84.8%	84.8%
24 (Guilford)	61	1	72.12	84.6%	86.0%
36 (Burke, Caldwell, Catawba)	35	5	42.65	82.1%	93.8%
37 (Randolph)	21	2	16.74	125.4%	137.4%
30 (Union)	20	5	18.13	110.3%	137.9%
17 (Alamance)	21	7	19.6	107.2%	142.9%

Prosecutorial FTE: Recent/Future Changes

- 2017:
 - 31 new ADAs \$2.1m
- 2018:
 - 1 new ADA (Montgomery/Stanly)
 - 2 ADAs transferred from District 11 to District 9
- 2021:
 - 4 ADAs transferred to new Hoke/Moore
 - 3 ADAs transferred to new Anson/Richmond/Scotland
 - 1 elected DA eliminated (Scotland/Hoke)
- 2023:
 - 10 ADAs transferred to new Catawba
 - 1 new elected DA (Catawba)

Prosecutorial FTE Request: RTA

- JJAC Request (RTA)
 - − 8 ADAs & 7 DA Legal Assistants: ~\$1.5m

- JJAC Request ("existing deficiencies")
 - 45 ADAs & 60.5 DA Legal Assistants: ~\$10.1m

- Gov Recommendation
 - − 4 ADAs & 3 DA Legal Assistants: ~\$488k

Source: JJAC Report, Governor's Recommended Budget

Clerk of Court Workload

Top 3 Most and Least Need, FY 2017-18



District	State- funded	Grant- funded	Total Authorized Positions	Need	Staff to Need Ratio
Wake	182.5	1.5	184	197.38	93.2%
Macon	10	0	10	10.38	96.4%
Mecklenburg	208.1	10.5	218.6	224.92	97.2%
Scotland	15	0	15	12.56	119.5%
Caswell	7.75	0	7.75	6.31	122.9%
Hertford	9.75	0	9.75	7.75	125.7%

Clerk FTE: Recent Changes & RTA Request

• 2017: 96 new deputy clerks (fully phased in by FY 2018-19) - \$4.7m

RTA:

- JJAC Request (RTA):
 - ► 6 deputy clerks: ~\$334k
- JJAC Request ("existing deficiencies"):
 - ► 52 deputy and assistant clerks: ~\$2.2m
- Gov Recommendation:
 - 3 deputy clerks: ~\$111k

Source: JJAC Report, Governor's Recommended Budget

Magistrate Workload

Top 3 Most and Least Need, FY 2017-18



District	Total Authorized Positions	Total Need (Min. of 3)	Staff to Need Ratio
Mecklenburg	33.5	51.94	64%
Wake	27	41.61	65%
New Hanover	13	16.57	78%
	_	2.4	1.470/
Scotland	5	3.4	147%
Rockingham	7	4.69	149%
Wilkes	6	3.52	171%

District Court Judge Workload

Top 3 Most and Least Need, FY 2017-18



District	Judges Authorized	Judges Needed	Ratio
29A (McDowell, Rutherford)	3	4.11	72.9%
4 (Duplin, Jones, Sampson, Onslow)	8	9.86	81.2%
19A (Cabarrus)	5	6.1	82.0%
24 (Avery, Madison, Mitchell,	4	3.12	128.0%
Watauga, Yancey)			
1 (Camden, Chowan, Currituck, Dare, Gates, Pasquotank, Perquimans)	5	3.85	129.8%
14 (Durham)	7	5.03	139.1%

District Court FTE: Recent/Future Changes

- 2019:
 - 1 new DC judge in Montgomery/Stanly
 - − 1 new DC judge in Wake
- 2021:
 - 1 new DC judge in Wake

District Court FTE Request: RTA

- JJAC Request (RTA)
 - − 5 DC judges: ~\$1.0m

- JJAC Request ("existing deficiencies")
 - 10 DC judges: ~\$2.1m

- Gov Recommendation
 - − 3 DC judges: ~\$626k

Source: JJAC Report, Governor's Recommended Budget

Superior Court Judge Workload

Division	Resident Judges	Judge Needed	Special Judge Need
1	16	17.4	1.4
2	14	15	1
3	23	22.5	No Need
4	21	19.1	No Need
5	23	25.6	2.6

Superior Court FTE: Recent/Future Changes

- 2017:
 - Eliminates 2 special judgeships
- 2018:
 - Eliminates 1 SC judge in District 17B (Stokes/Surry)
- 2019:
 - 1 new SC judge in District 19D (Hoke/Moore)
 - 1 new SC judge in District 10 (Wake)
- 2021:
 - 1 new SC judge in District 20A (Montgomery/Stanly)
 - 1 new SC judge in District 26 (Mecklenburg)

"Existing Deficiencies"

One cause is 2011 VRIF/RIF:

- Voluntary Reduction In Force
- AOC offered VRIF/RIF to meet 5% reduction request
- 194.5 FTE took VRIF, including:
 - 100 clerks
 - 16 GAL
 - 39 magistrates
- Another 125 FTE were RIFed
 - All DTC staff
 - 18 magistrates
 - 55 DA staff (victim-witness legal assistants, mostly)
- 2013-2019: NCGA adds 172.5 FTE to AOC

VRIF/RTR: February 28, 2019

Feb 2019: AOC offers another VRIF/RTR

- "Reduction Through Reorganization"
- 42 FTE take the VRIF \$2,037,430 payout
- Includes AOC senior Admin staff:
 - Chief HR Officer
 - Exec Assistant to the AOC Director
 - Assistant Legal Counsel
 - Legislative Liaison
- 21 from Technology Services
 - All enhancements to computer systems are suspended
 - 4 from special funds, so no GF benefit

VRIF/RTR: FY 2018-19

• Total Salaries: \$3,678,206

• Total Severance: \$2,037,430

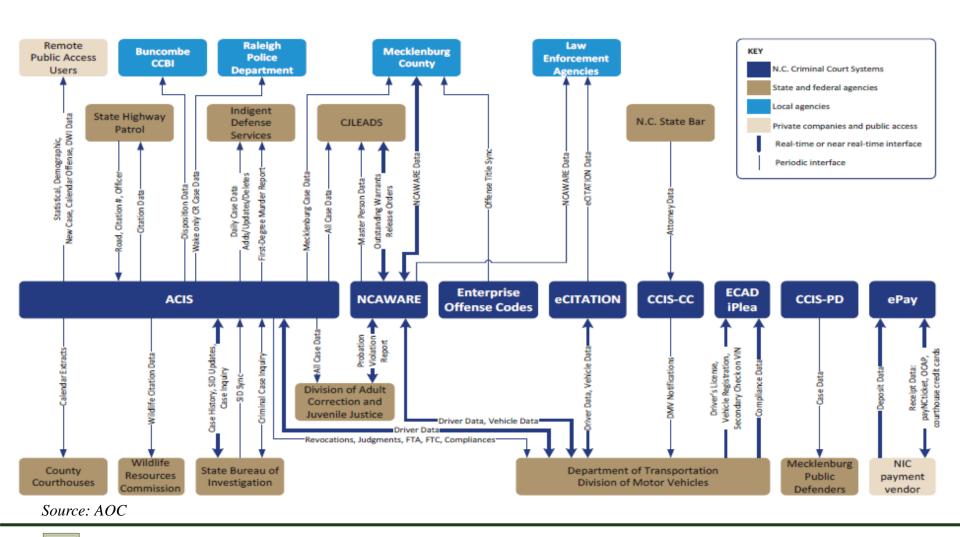
• Lapsed Salary Generated: \$1,226,069 (4 months of FY 2018-19 remaining)

AOC e-Courts

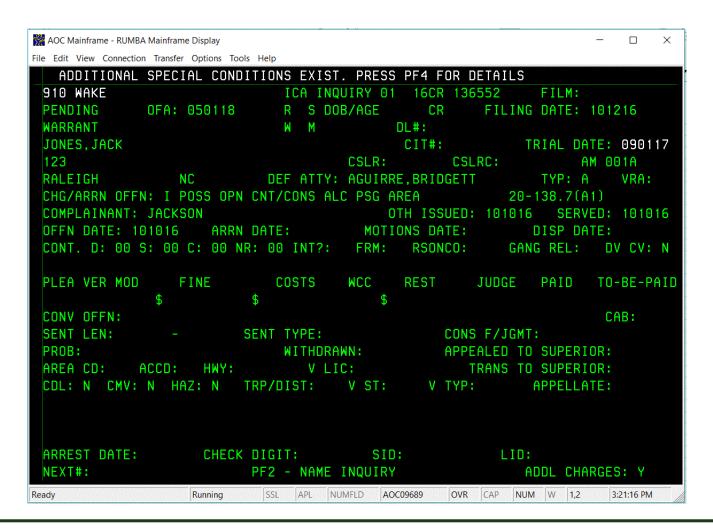


- AOC tech improving since 2000s, but slowly
 - Much of this decade has involved improvements to ACIS (Automated Criminal/Infractions System)
 - ACIS went live in 1982
 - The plan was to slowly replace ACIS with the new CCIS (Criminal Court Information System)
 - However, ACIS remains the underlying architecture for the court system

AOC IT Interfaces

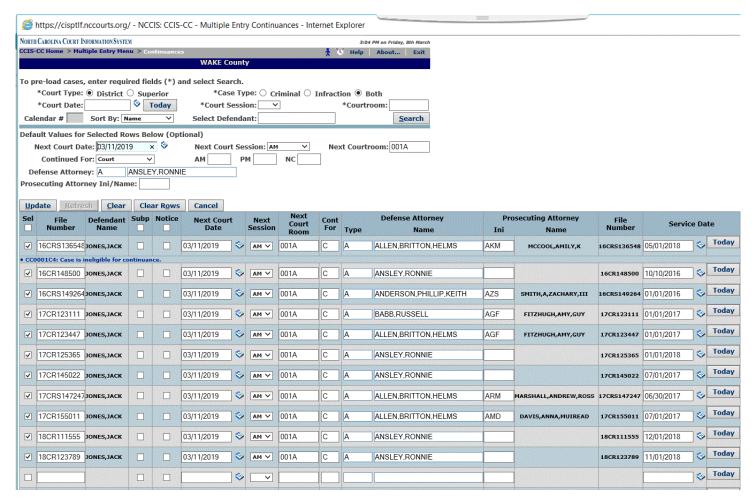


ACIS

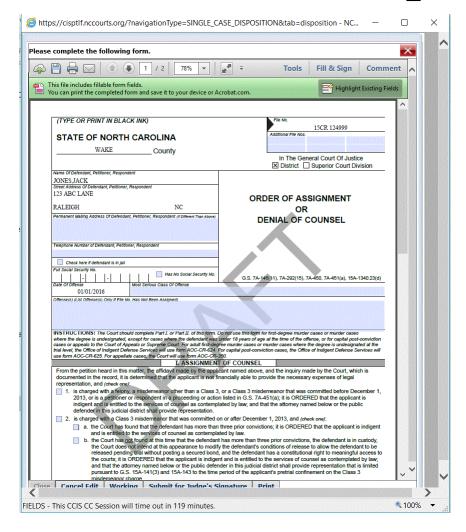




CCIS-CC (Clerk Component)



CCIS-CC (Clerk Component)



- NC Commission on the Administration of Law and Justice (NCCALJ) Technology Report
 - Met from 2015 to final report in 2017
- Recommended new IT system to integrate:
 - Governance

e-Filing

- Metrics

- Financial management

Reporting/analytics

- Electronic public access
- Information management
- Judicial workbench

Case management

	Strategic Initiative	Implementation Complexity	Anticipated Benefits
Α	Management & Governance	Moderate	★ ★ ★
В	Baseline Metrics	Low	★ ★ ★
С	Reporting & Analytics	Moderate	★ ★ ★
D	Enterprise Information Management System (EIMS)	Moderate	★ ★ ★
E	e-Filing	Low	★ ★ ★
F	Integrated Case Management System (ICMS)	High	★ ★ ★
G	Financial Management System (FMS)	Moderate	★ ★ Moderate
Н	Electronic Public Access	Moderate	★ ★ ★
ı	Judicial Workbench	Low	★ ★ Moderate

	Initiative Budget and Timeline Matrix (\$)											
Strategic Initiative		Year 0 FY2017	Year 1 FY2018	Year 2 FY2019	Year 3 FY2020	Year 4 FY2021	Year 5 FY2022	Year 6 FY2023	Base Total	Budget Target	Total with Risk Adjustment	
	Initiatives Starting in Year Zero											
А	Management & Governance		\$438,264	\$918,926	\$870,202	\$870,681	\$865,749	\$223,149	\$223,149	\$4,410,120	\$4,919,621	\$5,429,123
В	Baseline Metrics		\$70,540	\$43,647	\$29,098	\$29,098	\$14,549	\$14,549	\$14,549	\$216,030	234,612	\$253,194
С	Reporting & Analytics		\$411,708	\$1,025,902	\$697,750	\$334,048	\$250,492	\$97,200	\$97,200	\$2,914,300	\$3,218,786	\$3,523,272
D	EIMS		\$2,312,180	\$6,613,359	\$6,951,675	\$5,573,191	\$1,968,436	\$1,357,956	\$947,856	\$25,724,654	\$28,163,407	\$30,602,161
Е	e-filing		\$793,500	\$2,210,996	\$2,165,354	\$1,563,169	\$1,135,042	\$360,892	\$360,892	\$8,589,845	\$9,381,414	\$10,172,983
F(a)	ICMS (build)		\$300,141	\$3,704,495	\$9,872,789	\$11,787,013	\$12,446,525	\$6,274,836	\$2,052,568	\$46,438,366	\$52,098,002	\$57,757,639
F(b)	ICMS (buy)		\$239,241	\$296,955	\$6,450,347	\$9,889,899	\$11,510,353	\$8,130,298	\$2,239,833	\$38,756,926	\$43,233,506	\$47,710,086
G	FMS		\$40,800	\$644,150	\$911,150	\$0	\$0	\$0	\$0	\$1,596,100	\$1,714,312	\$1,832,524
н	Electronic Public Access		\$30,030	\$462,877	\$26,899	\$450,627	\$413,377	\$225,477	\$143,425	\$1,752,710	\$1,925,171	\$2,097,632
						Initiatives S	tarting in Year	One				
- 1	Judicial Workbench		\$0	\$135,222	\$84,018	\$63,974	\$39,493	\$18,605	\$10,444	\$351,755	\$388,029	\$424,303
			FY2017	FY2018	FY2019	FY2020	FY2021	FY2022	FY2023	Base Total	Budget Total	With Risk Adjustment
Total Includ	lina	Capital	\$4,397,163	\$15,138,055	\$21,608,935	\$17,687,733	\$10,704,523	\$4,929,496	\$4,848	\$75,092,270	\$83,213,780	\$91,335,290
F(a) IC Build		Operational	\$0	\$0	\$0	\$2,984,068	\$6,429,140	\$3,643,168	\$3,845,235	\$16,901,611	\$18,733,073	\$20,564,536
Total Includ	ling	Capital	\$4,336,263	\$12,352,033	\$18,186,493	\$15,790,618	\$10,379,911	\$5,492,807	\$4,848	\$66,542,973	\$73,485,230	\$80,427,488
F(b) ICMS- Buy		Operational	\$0	\$0	\$0	\$2,984,068	\$5,817,579	\$4,935,319	\$4,032,501	\$17,769,468	\$19,664,625	\$21,559,783

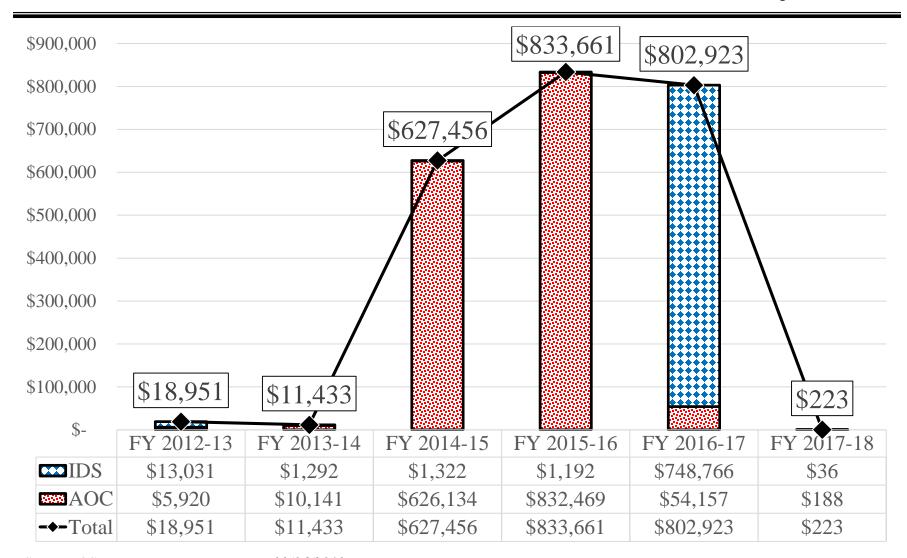


- Six-year plan (FY 2016-17 to FY 2022-23)
- Assuming buy rather than build:
 - Total capital costs of \$73.5m
 - Total ongoing operational costs of \$19.7m
 - RFP Issued, still under consideration (Mar 2019)
- AOC Tech Special Fund 22006:
 - Ongoing Receipts and Expenditures of \$16.1m
 - Balance in July 2018: \$18.1m

2018 Appropriations Act:

- \$1.5m NR for Integrated IT System
- AOC can keep up to 3% of both Judicial Branch agencies that would otherwise revert back to GF (special provision)
 - Intent to build funds over time
 - Issue: Neither agency has history of reversions

Judicial Branch Reversions History



Source: OSBM Reversion Projections, 03/06/2019

e-Courts Issues

- How does NCGA/AOC fund this initiative?
 - Current funding streams are not enough
- How long does the initiative take?
- Will it replace ACIS?
- Are all enhancements to ACIS/CCIS on hold until this project is finished?

